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Attorneys for defendant

UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ALASKA

MARLENE G. MEYER,)
)
Plaintiff,)
)
v.)
)
ARG ENTERPRISES, INC. aka STUART)
ANDERSON'S CATTLE COMPANY)
RESTAURANTS,)
)
Defendant.)
	Case 3:05-cv-00239-TMB
)

PROPOSED ORDER

This court having considered defendant's Motion in Limine to Exclude the Testimony of Plaintiff's Expert, Richard Button, hereby finds that defendant's motion is well-taken. Mr. Button's qualifications are in design. Given that the building code has no directly applicable standards and there is no question as to whether the location of the accident in

question was designed correctly, but Mr. Buttons' expertise does not apply. The question is an issue of maintenance and not design standards.

Dated: _____

By: _____

Timothy M. Burgess
U.S. District Court Judge

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically served this 26th day of February, 2007 to:

Robert J. Jrasek
PENTLARGE LAW GROUP
1400 W. Benson Blvd., Ste. 550
Anchorage, Alaska 99503

/s/ William A. Earnhart

RICHMOND & QUINN

2043\005\PLD\ORDER (MOTION IN LIMINE)

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